

# Board of Alcohol and Drug Abuse Counselors



## Newsletter



Summer 2007

A Regulatory Agency of the State of Tennessee

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In conjunction with the purpose and goals of the Department of Health, the Mission of the Bureau of Health Licensure and Regulation is to: Monitor, access and enforce health care laws and regulations; Protect, promote and enhance quality health care for all citizens; Continuously strive to meet the needs of our customers in a respectful and caring manner; Provide quality work-life necessary to attract and retain competent, caring employees; Empower our employees to become entrepreneurs in their jobs; Increase awareness and public confidence in our services; and Utilize our resources efficiently and cost effectively.

227 French Landing, Suite 300, Heritage Place Metro Center, Nashville, TN 37243 • <http://health.state.tn.us> (615) 532-5127 or 1-800-778-4123  
Office Hours: Monday – Friday 8:00 a.m. to 4:30 p.m. Central Time (except State and Federal holidays) Fax: (615) 532-5369



**SUSAN R. COOPER, MSN, RN**  
**COMMISSIONER**  
**TENNESSEE**  
**DEPARTMENT OF HEALTH**

Commissioner Cooper is a master's prepared registered nurse. She earned both her bachelor and master of nursing degrees from Vanderbilt University School of Nursing.

Cooper was raised in Tennessee, and considers it a great honor to have been asked by Governor Phil Bredesen to serve as Commissioner of Health. Her priorities are to protect, promote and improve the health of all Tennesseans. She considers this the most important work she will face in her career.

"Now is the time that I can perhaps influence the citizens of this state in a positive manner," said Cooper. "I hope to leave a footprint on the health status of this state."

Cooper first came to the state level in 2005, as a special policy and health advisor to the Governor. She was charged with developing Tennessee's Health Care Safety Net program for citizens facing dis-enrollment from TennCare.

Cooper later assumed leadership of Project Diabetes, a program the Governor created to address the threat of Type 2 diabetes facing young people in Tennessee.

In addition, she helped facilitate the creation of the Governor's GetFitTN initiative. The statewide public awareness program is aimed at addressing the rising epidemic of Type 2 diabetes and risk factors that lead to diabetes, like obesity. The program involves educating adults and children how they can make modest lifestyle changes to delay or prevent the onset of Type 2 diabetes.

Before joining state government, Cooper was a faculty member and Assistant Dean of Practice at Vanderbilt University's School of Nursing, overseeing the nurse-managed clinics and operations led by the School. She also served as co-director of the Health Systems Management program at Vanderbilt University School of Nursing.

Cooper has an extensive background in health policy, health care regulation, and evidence-based practice. She helped create the Center for Advanced Practice Nursing and Allied Health at Vanderbilt University Medical Center, covering the regulatory needs and credentialing for the hundreds of non-physician providers at Vanderbilt.

Cooper was born and raised in West Tennessee. Her father was an ophthalmologist and her mother was a nurse. One of the Commissioner's first jobs as a teenager was in her father's office in West Tennessee, checking in patients, and later performing routine vision checks.

The Commissioner currently resides in Franklin, Tennessee. She enjoys spending time with her three grown children and three grandchildren.

## COVER TENNESSEE: HEALTH CARE FOR TENNESSEE'S UNINSURED

Governor Phil Bredesen's multi-pronged effort, **Cover Tennessee**, extends health insurance to uninsured individuals in Tennessee through three insurance programs and a pharmacy assistance program.

**CoverTN** is an affordable and portable health insurance initiative for working Tennesseans who are uninsured. Comprehensive coverage for children is provided through **CoverKids**, and chronically ill adults are eligible for **AccessTN**. **CoverRx** is a statewide pharmacy assistance program designed to assist those who have no pharmacy coverage, but have a critical need for medication.

**Cover Tennessee** provides health insurance coverage that is affordable to participants and affordable to the state.

More information on all **Cover Tennessee** programs is available at [www.CoverTN.gov](http://www.CoverTN.gov) or by calling **1-866-COVERTN**.

[www.covertn.gov](http://www.covertn.gov)

**1-866-COVERTN**

### OVERVIEW OF PROGRAMS

#### CoverTN

CoverTN is a partnership between the state, small businesses and self-employed individuals to provide coverage for the most needed medical services. CoverTN is a voluntary initiative for uninsured Tennesseans to obtain private insurance. The individual owns the plan, not the state or the company. To promote personal responsibility, premiums are based on weight, tobacco use and age – with an average monthly premium of \$50 for each payer.

CoverTN is affordable. The program features no deductibles and pricing is simple and straight-forward: \$20 co-payment for a doctor's office visit and \$10 for most prescription drugs. There is also coverage for hospitalization and other medical needs.

Enrollment is a two-step process. Once a business is confirmed as eligible, BlueCross BlueShield of Tennessee, the program's insurer, sends out enrollment materials and individuals have 90 days to make a decision.

#### CoverKids

CoverKids offers comprehensive health insurance coverage to uninsured children 18 years-old

and younger, and maternity coverage for pregnant women with household incomes below 250 percent of the federal poverty level. Families above the income limit, who wish to purchase coverage for their child, can "buy in" to the program by paying monthly premiums. The coverage is similar to the benefits offered to dependents of state employees. BlueCross BlueShield of Tennessee administers the program.

#### AccessTN

AccessTN provides comprehensive health insurance options to uninsurable Tennesseans. AccessTN, a high-risk pool, was created for persons with one of 55 specified medical conditions, or those who are unable to get insurance in the commercial market because of their health status. BlueCross BlueShield of Tennessee administers the program.

#### CoverRx

CoverRx is a statewide pharmacy assistance program designed to assist those who have no pharmacy coverage, but have a critical need for medication. CoverRx is not health insurance. It provides up to five prescriptions per month. (Insulin and diabetic supplies will not count against the monthly limit.) Express Scripts administers the program.

### **Christy A. Allen Assistant Commissioner Bureau of Health Licensure and Regulation**

On April 10, 2007, Commissioner Cooper appointed Christy A. Allen as the new assistant commissioner for the Tennessee Department of Health's Bureau of Health Licensure and Regulation. In this role, Allen will oversee a staff of approximately 500 in the Divisions of Health Related Board, Health Care Facilities, Emergency Medical Services and Investigations.

Prior to joining the Department of Health, Allen served as a legal services director and Deputy General Counsel with the Department of Commerce and Insurance, where she advised senior department officials on legal, policy and legislative matters. She was supervising attorney for the Division of Regulatory Boards and the Division of Fire Prevention legal section.

Allen received a Doctor of Jurisprudence degree from the George C. Taylor School of Law at the University of Tennessee and a Bachelor of Arts degree from Bryn Mawr College. She has been licensed to practice law in Tennessee since 1993.



## RULE AMENDMENTS

**Rule amendment 1200-30-1.05, .06, .07, .08 and .17** pertaining to the licensure process; fees; application review; examination; and, advertising became effective August 1, 2007.

**Rule amendment 1200-30-1-.05, .12 and .15** pertaining to the licensure process; continuing education; and, disciplinary actions and civil penalties became effective September 16, 2007.

You may download a copy of the rules at <http://Tennessee.gov/health>, click "licensing" at the top of the page, click "Health Professional Boards", cursor down to "Boards, Councils, Committees and Registry", click "Board of Alcohol and Drug Abuse Counselors" and "Rules and Regulations." Other pertinent information can be downloaded at the Board's site such as applications, Board meeting minutes and policy statements.

## CHANGES OF ADDRESS

**Change of addresses must be reported (in writing or by web) to the Board's office within 30 days of your move.**

### INFORMATION REQUIRED

- Your name and license number;
- Your profession;
- Your old address and phone number;
- Your new address and phone number; and
- Your SIGNATURE!

Fax Number 615-532-5369 or visit the Department's website  
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## REFERENCE NUMBERS FOR THE BOARD

Toll-Free 1-800-778-4123 ext. 25127  
Local (615) 532-5127



## TESTING PROCEDURES CHANGE FOR THE NAADAC EXAMINATION

As of March 2007, all levels of the NAADAC-NCC examinations will be offered by computer. All candidates will take their examination at computer based test centers operated by Lasergrade Testing, Inc. The only exceptions will be those candidates who can provide written documentation of a disability in accordance with the Americans with Disabilities Act. Written examinations will be provided for those candidates. The cost of the examination is \$100.00 and a cost for use and access to the computer and computer sites of \$35.00 per candidate. The examination fees are non-refundable. Candidates can change their test date within the one-week testing period (i.e., from a Monday appointment to a Thursday appointment, but cannot transfer from one testing period to another (i.e., from March to June). The Board's administrative office will still need to receive the application and fees and will forward them to the Professional Testing Corporation (PTC); **however, the Tennessee Board of Alcohol and Drug Abuse Counselors must now sign each application on side 2 to verify that the candidate has been approved for testing.** PTC will send each candidate an eligibility notice starting 5 weeks prior to the first day of the testing period. **Once the candidate has received this notice, it is their responsibility to call Lasergrade Testing to set up their exam appointment. PLEASE DO NOT DOWNLOAD APPLICATIONS FROM THE PTC OR NAADAC WEBSITES – CALL THE BOARD'S ADMINISTRATIVE OFFICE AT (615) 532-5127 OR 1-800-778-4123, EXT. 25127 TO OBTAIN THE APPLICATION FOR THE NAADAC EXAMINATION.**

- Checks for the NAADAC examination should be made payable to NCC Examination in the amount of \$135.00
- *Please Note – this fee is separate from the Board's application and examination fees*



## OFFICE OF INVESTIGATIONS

The Office of Investigations is responsible for receiving and processing all complaints for the licensure Boards. To file a complaint, please contact the Office of Investigations at 1-800-852-2187 or visit our website at [www.tennessee.gov/health](http://www.tennessee.gov/health) where you may download and print out the complaint form.

### PUBLIC CHAPTERS

#### **Public Chapter 83 Mandatory Domestic Violence Reporting**

The General Assembly passed a new law this legislative session that mandates health care practitioners report cases of suspected or confirmed domestic violence to the Tennessee Department of Health.

The mandatory monthly reporting will be by a web-based system developed by the Department's Division of Health Statistics. The system should be operational in October 2007, and the Department will mail you details of the required data to be reported and instruction on how to use the reporting tool. The Board will also keep you informed as more information is available.

#### **Public Chapter 529 Prohibition of Employment of Illegal Aliens**

If the Commissioner of Labor and Workforce Development receives a complaint that a person licensed by a state regulatory board knowingly employs, recruits or refers for a fee for employment, an illegal alien, that person is subject to an investigation and contested case hearing.

If there is proof a person knowingly employed, recruited or referred for a fee for employment, an illegal alien, which occurred while acting within the scope of practice of his/her license, the regulatory board will be required to revoke, suspend, or deny the person's license.

For the first violation, the regulatory board will be required to suspend the person's license until the licensee shows the licensee no longer employs, recruits or refers for a fee for employment, an illegal alien. This can be shown by the person filing a sworn statement that the licensee no longer employs illegal aliens.

If a second violation occurs within three (3) years from the first order, the regulatory agency will be required to suspend the person's license for one (1) year.

## **Public Chapter 410 Non-Smoker Protection Act**

Public Chapter 410 creates the Non-Smoker Protection Act which will prohibit smoking in all enclosed public places within the State of Tennessee including, but not limited to, the following places:

- Areas available to, and customarily used by, the general public in businesses and non-profit entities patronized by the public including, but not limited to: banks, Laundromats, factories, professional offices and retail service establishments; and
- Health care facilities. (Nursing homes and long-term care facilities are exempted)

The legislation requires offices and health care facilities do the following:

- Inform all existing employees and any prospective employees upon their application for employment of the prohibition on smoking; and
- "No Smoking" signs, or the international "No Smoking" symbol, shall be clearly and conspicuously posted at every entrance to every public place and place of employment where smoking is prohibited.

The Department of Health shall, while an establishment is undergoing otherwise mandated inspections, inspect for compliance with this Act. Information about these inspections will be communicated with the appropriate offices and/or health care facilities in the future.

#### **Public Chapter 365 Contracts Between Healthcare Providers and Health Insurance Entities**

Public Chapter 365 requires newly licensed health care provider(s) who move into a new community or change practices, to submit a credentialing application for approval by a health insurance entity (insurance entity). Upon approval, a contract must be made between the provider and insurance entity in order for the provider to be an in-network provider.

The insurance entity must obtain from the Council on Affordable Quality Health (CAQH) a clean CAQH credentialing application for the provider. The insurance entity must then notify the provider within ninety (90) days if they are willing to contract with the provider. A clean CAQH means an application has no defect, misstatement of facts, improprieties, including a lack of required substantiating documentation or circumstance requiring special treatment that delays prompt credentialing.

Unless otherwise required by a national accrediting body, the insurance entity must accept and begin processing a completed credentialing application. The insurance entity shall not require the provider to have an active malpractice insurance policy in order to process the application before the provider's employment start date.

The insurance entity shall notify its members in writing or on a website that the provider is an in-network provider or that his application is pending approval.

This section does not require an insurance entity to contract with a provider if the entity and the provider do not agree on the terms and conditions of the contract.

### **Disciplinary Actions 2005-2007**

**Kimberly Burchett, LADAC - Licensed No. 262**  
License reprimanded for practicing on a lapsed license. Assessed civil penalties in the amount of \$1,200. Date of action: January 7, 2005.

**Linda Monteferrante, LADAC – License No. 601**  
License revoked for no less than two (2) years and six (6) months suspension for violation of Board Order. Date of action: January 13, 2006.

**Rose Mary Tilson, LADAC – License No. 224**  
License revoked for violation of code of ethics regarding dual relationships. Date of action: September 16, 2005.

### **Notice of Change in Child Abuse Reporting**

**This notice pertains to hospitals, clinics, schools, and organization responsible for the care of children.**

**Public Chapter 185** of 2005 deletes the language in **T.C.A. §37-1-403** that makes provisions for the reporting of suspected child abuse through a designated official of a hospital, clinic, school, or agency/organization. The responsibility for reporting suspected abuse/neglect now lies with the individual who suspects that child abuse or neglect has occurred. Therefore, individual organization policies allowing a staff person to report suspected abuse or neglect to the person in charge of the organization, or that person's designee, will no longer be in compliance with state law. Please immediately update your policies regarding the reporting of child abuse to reflect these changes and ensure your staff is notified of the change in policy.

The bottom line for all hospitals, clinics, schools, and any organization responsible for the care of children: If you are an individual who suspects child abuse, you

have a legal obligation to report it to DCS or others mandated to receive these reports. You may no longer fulfill your legal obligation by reporting it to a designated person within your organization. Pursuant to **T.C.A. §37-1-412**, failing to report is a Class A misdemeanor and is punishable by a fine not to exceed two thousand five hundred dollars (\$2,500).

In addition to the Department of Children's Services, individuals may report suspected child abuse/neglect to the Juvenile Court Judge having jurisdiction over the child, the Sheriff of the county where the child resides, or the Chief Law Enforcement Officer of the municipality where the child resides. Persons reporting to the Department should call the Department of Children's Services statewide hotline. There are two (2) toll-free numbers and they are operational 24 hours a day, 7 days a week.

**1-877-54ABUSE (1-877-542-2873) and  
1-877-237-0004**

For more information about this change or child abuse reporting, you may contact your local office of the Department of Children's Services or your established DCS contact.

### **2008 BOARD MEETING DATES**

**January 18, 2008  
Poplar Room – 9:00 a.m. CST**

**April 25, 2008  
Poplar Room – 9:00 a.m. CST**

**July 18, 2008  
Poplar Room – 9:00 a.m. CST**

**October 17, 2008  
Poplar Room – 9:00 a.m. CST**

**All Board meeting will be held at 227 French Landing, Suite 150, Heritage Place, MetroCenter, Nashville, TN., unless otherwise noted.**

Tennessee Board of Alcohol and Drug Abuse Counselors  
227 French Landing, Suite 300  
Heritage Place MetroCenter  
Nashville, TN 37243



## **Tennessee Board of Alcohol & Drug Abuse Counselors Board Members**

Mr. Michael Jackson  
Nationally Certified A & D Counselor  
Board Chair  
Memphis

Ms. Sharon Trammell  
Nationally Certified A & D Counselor  
Board Secretary  
Cordova

Mr. Jacques Tate  
Nationally Certified A & D Counselor  
Memphis

Mr. Garner Gagle  
Licensed A & D Counselor  
Nashville

Ms. Janice Higgins  
Citizen Member  
Nashville

## **Board Staff**

Melody Spitznas  
ASA2  
Board Administrator

Lakita Taylor  
AARB1

Barbara Maxwell  
Administrative Director